

PRICE ONE CENT.

NEW YORK, MONDAY, SEPTEMBER 30, 1901.

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"BOB" EVANS ON THE BIG FIGHT.

Captain of the Iowa
Said It Was Impos-
sible to Coal on Cer-
tain Days—Another
Schley Witness Told
of the "Nasty Sea."

WASHINGTON, Sept. 30.—When the
Schley Court of Inquiry convened for
the afternoon session Rear-Admiral
Robley D. Evans, who as Captain com-
manded the battle-ship Iowa during the
battle off Santiago, was called to the
witness stand.

"He stated that he had first joined the
flying squadron off Cienfuegos on May
22, at 1 P. M., when he took despatches
from Admiral Sampson to Commodore
Schley.

These despatches he had sent to Com-
modore Schley by his executive officer,
Commander Rogers, he not seeing the
Commodore himself. As the despatches
were sealed he did not know their con-
tent.

Judge Advocate: "Please state what,
if anything, was done while the squad-
ron was off Cienfuegos toward devel-
oping the fact as to whether the Span-
ish squadron under Admiral Cervera
was or was not in the harbor of Cien-
fuegos."

"Where was nothing done, so far as I
know."

"What, if anything, within your
knowledge was done toward destroy-
ing or preventing the further completion
of the enemy's batteries in the vicinity
of Cienfuegos?"

"On Sunday afternoon, I am quite sure
it was, Commodore Schley formed his
squadron in columns and stood in a
range of about a mile and a half from
shore, made a turn and stood out again.
That is the only thing I know."

No Attack Made.

"Was any attack made upon the
enemy or by the enemy at that time?"

"No. They all got up and stood on
the breastworks and looked at us. We
steamed out again. There was no firing
on either side."

"Were you within range of the bat-
teries in the vicinity of Cienfuegos with
the heavier guns of your ship?"

"I did not see any batteries. There
was no work they were completing
there."

"Were you within range of this?"

"Quite easy range, yes."

"The battery of the Iowa consisted of
what?"

"Four twelve-inch, eight eight-inch
and twelve four-inch guns."

"Were there embryo batteries within
range of your eight-inch guns when you
steamed in?"

"They were within easy range."

"Were they within range of the four-
inch guns?"

"I should think so, yes."

"Did the Iowa coal ship while in Cien-
fuegos, and if so how much did she
take?"

"We took in 300 tons of coal on the
twenty-third. We began about seven in
the morning and stopped at six in the
afternoon. We took coal from a collier
alongside, the Merrimac, I think."

The Iowa Coaled.

Admiral Evans said that he had coaled
the Iowa from the Merrimac on May
23, while off Cienfuegos, and that he
had no difficulty in doing so.

Speaking of the conditions of the
weather on May 24 and 25, the witness
said that on the evening of the twenty-
fourth it was equally; that on the morn-
ing of the twenty-fifth the sky was
overcast and that the weather was
again equally; in the afternoon it was
worse, there being a good deal of rain
with a long sea.

He said that after leaving Cienfuegos
the vessel had steamed to a point about
thirty miles south of Santiago, ar-
riving there on the evening of the twen-
ty-sixth, and that at that time the
squadron was heading to the east.

The weather at that time, he said,
was not such as to prevent the coal-
ing of ships at that date. The Iowa
at that time had about 325 tons of coal
aboard, or sufficient for steaming 3,000
miles.

On blockade the ship used about
thirty or forty tons of coal a day.

"Why was the retrograde movement
made?" asked Judge-Advocate Lemly.

"I do not know," was the reply.

The witness said he could have coaled
at sea on the 27th, as the sea was
smooth.

Bombarding the Colon.

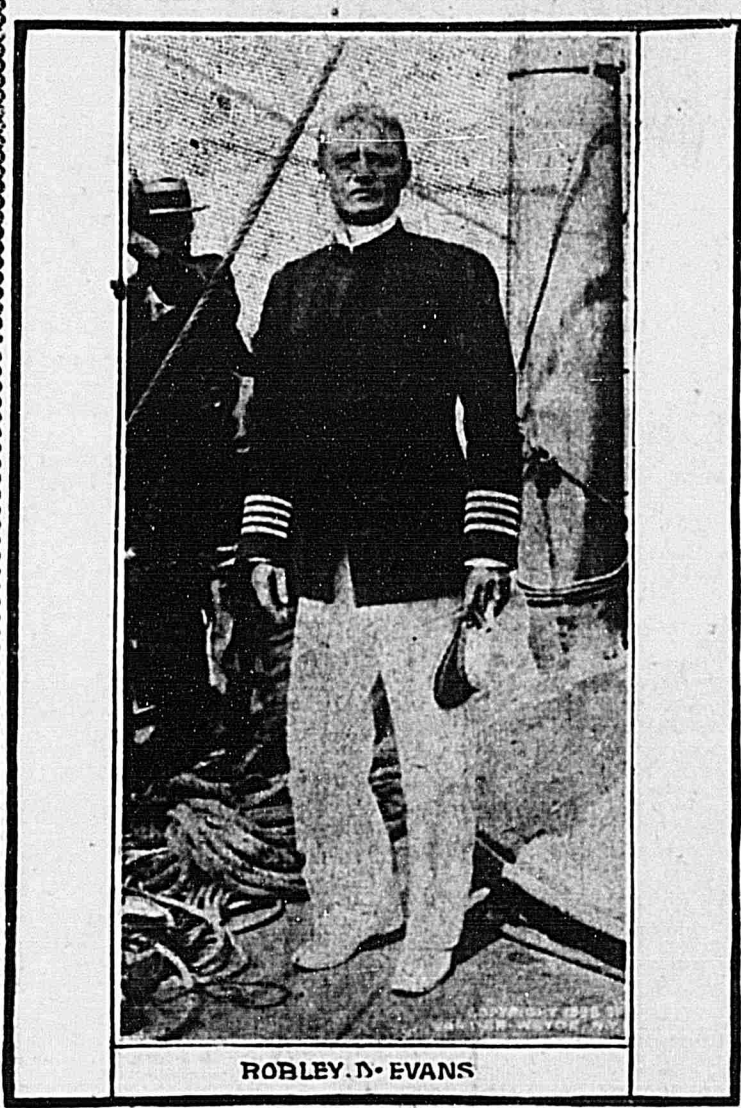
"Was any effort made by the Flying
Squadron on May 29, 30 or 31 to com-
municate with the insurgents on shore
near Santiago?"

"None to my knowledge."

Testifying that he had first seen the
Colon on May 29, Admiral Evans said
that vessel was not inside the harbor
at all, but was about 1,500 yards inside
the Muro.

He then detailed the particulars of the
bombardment of the Colon on May 31,
saying that on the forenoon of that day
Commodore Schley had signalled to
transfer the flag to the Massachusetts;
that she was going to engage the Colon.
Describing that engagement, the witness
said:

"About five minutes to one I saw the
first shot from the Massachusetts. I saw
that it fell short. Lieut. Hill had the
other gun in that turret. I gave him the
range at 11,000 yards and he fired, and
that shot struck very near the stern of
the Colon. Both twelve-inch guns were
(Continued on Second Page.)



ROBLEY D. EVANS

MAYOR OR NOTHING FOR BIRD S. COLER.

Hugh McLaughlin Hints at a Big Fight in
the Tammany Convention.

Hugh McLaughlin, the sage of Wil-
loughby street, the strongest advocate of
Bird S. Coler for the Tammany nomi-
nation for the Mayoralty, in a pointed
and characteristic speech to an Evening
World reporter this afternoon, definitely
settled doubt as to whether the Comptrol-
ler would accept a re-nomination as a
compromise at the hands of Richard
Croker.

In answer to a direct question, which
he insisted should be amended several
times before he deemed it proper, Mr.
McLaughlin said he did not believe Mr.
Coler would accept a re-nomination.
And this belief was presented so strong-
ly that it amounted to an assertion.

Mr. McLaughlin would venture no pre-
dictions as to a probable contest in the
convention in the event that Tammany
Hall would not consider Mr. Coler as the
regular Mayoralty nominee. But that a
hard fight with no compromise was
being made on the Brooklyn side for
their man he made no attempt to
deny.

Among the Manhattan politicians to-
day the veteran Brooklyn politician is
looked upon as practically having the
key to the situation in his keeping.
Whether or not he will force the nomi-
nation of Coler in the convention re-
mains one of the puzzles of the cam-
paign.

At the Kerrigan auction rooms this
afternoon Mr. McLaughlin was asked
by an Evening World reporter:

"Would Coler accept any position ex-
cept the Mayoralty on the Tammany
ticket?"

"That is not a fair question," replied
Mr. McLaughlin.

"Would Coler accept the Comptroller-
ship on a re-nomination?" corrected the
reporter.

"That is not fair," said Mr. Mc-
Laughlin.

"Would Coler accept the position he
has now?" was asked.

McLaughlin paused for a minute and
said slowly and with a peculiar signifi-
cance to his voice:

"I think not."

"Will the fight for him be carried into
the convention by the Brooklyn delega-
tion?"

"That will be answered when the con-
vention is reached. That a fight is now
being made for Coler is evident. It re-
quires no announcement. What will be
done later on I do not care to predict."

"Has the Brooklyn delegation decided
on any line of action?"

"If you and two or three other news-
paper men were trying to decide a com-
plicated case and the others should ask
you what you were going to do, and you
should say you would stick, and then
one of them should say a compromise
was to be attempted, and while this was
going on some one outside should want
to know about the case before it was
settled, would you tell them?"

"Has Mr. Croker decided on a candi-
dacy?" queried the reporter, turning to
another case.

NEW YORK VS. ST. LOUIS

SECOND GAME—SCORE B INNINGS.

NEW YORK	0	2	0	0	0
ST. LOUIS	0	0	6	0	0

LEAGUE PARK, ST. LOUIS, Sept. 30.—Jones went in the
box for the Giants in the second game to stem the tide of de-
feat if possible.

In order to allow both teams to catch a train out of town
it was agreed that only six innings would be played.

(STORY OF FIRST GAME ON SIXTH PAGE.)

BASEBALL WAR IS ON.

A baseball war which may have an ill effect on the Na-
tional League has been started by the minor leagues banded
together under the name of the National Association of Profes-
sional Baseball Leagues. They organized for mutual protec-
tion when it was learned that the National agreement, which
terminates this fall, will not be renewed. P. T. Powers is the
President of the new body.

LATE RESULTS AT HARLEM.

Fourth Race—Silurian 1, Six Shooter 2, Leo Newell 3.
Fifth Race—St. Marcos 1, Rolling Boer 2, Orontas 3.

AT ST. LOUIS.

Fourth Race—Prior 1, Prosper La Gan 2, Zonne 3.

TAMMANY EXECUTIVE COMMITTEE.

The Executive Committee of Tammany Hall held a meet-
ing this afternoon. The work was confined to routine business
and arranging details for the coming city convention. Mem-
bers refused to discuss with reporters the matter of the May-
oralty candidates, but it is understood that the names of
Charles W. Dayton and Isaac A. Hopper were considered.

LIGHT, FLUKY WIND FOR TO-MORROW'S CUP RACE.

WEATHER BUREAU, WASHINGTON, Sept. 30.—
Off Sandy Hook to-morrow the weather will be fair, with
light to fresh northerly winds during the morning. In the
afternoon the wind will be diminished in force and become
variable.

GARRIOT, Forecast Official.

ROOSEVELT IS SILENT ON PLANS

ATTITUDE KNOWN ON ONLY
THREE MATTERS OF STATE.

Conference with Leaders Before
Policies Will Be De-
cided.

(Special to The Evening World.)
WASHINGTON, Sept. 30.—A great
many guesses are being made as to the
policies of President Roosevelt. As a
matter of concrete fact, the President
is doing little talking about his policies.
His friends are surprised at the clever
way in which he gets opinions without
giving any, for the predominating trait
in Mr. Roosevelt heretofore has been
considered a readiness to discuss mat-
ters freely.

The President is moving cautiously,
and the only policies on which he has
expressed a decided opinion as yet, are
that an isthmian canal must be
built, that there should be a large ap-
propriation for the irrigation of the
arid lands of the West, and that there
should be a systematic and scientific
movement, well backed by money, to
plant trees on the denuded forest tops
on the mountains where their sources,
and thus obviate the disastrous floods of
spring and fall.

Concerning reciprocity, easily the most
important subject, which the Presi-
dent will have to deal during his first
Congress, Mr. Roosevelt has said nothing
that would give an idea of the trend
of his mind, beyond his general declara-
tion at Buffalo, that he intended to
carry out President McKinley's policy.
He is feeling his way now, and will
have no opinions for public expression
has yet been to Washington. The first
expected in Senator Platt, who will come
this week, and with whom the President
will undoubtedly discuss not only New
York State matters, but the pressing af-
fairs of national scope.

CLENNON CASE IS DELAYED.

ANOTHER ADJOURNMENT TO
NEXT MONDAY SECURED.

Minutes of the Grand Jury That
Indicted the Wardman Not Fur-
nished as Court Ordered.

More delay in the case against Ward-
man Glennon, indicted for neglect of
duty, was gained this morning.

Former District Attorney Ridgway,
of Brooklyn, who was to have argued
a motion to dismiss the indictment, se-
cured an adjournment to next Monday
on the ground that he had not been
allowed to inspect the minutes of the
Grand Jury.

The proceedings were held before
Judge Foster. Mr. Ridgway had se-
cured an order allowing him to inspect
the minutes and had intended to argue
that the minutes show that the evi-
dence was insufficient to warrant an
indictment.

"Owing to the fact that the District
Attorney has not furnished me with the
minutes and had intended to argue
that the minutes show that the evi-
dence was insufficient to warrant an
indictment," said Mr. Ridgway.

"I don't think it will be."

"I don't think it will be."

300 DEPUTIES FOR M'CULLACH.

HE IS MAKING PREPARATIONS
FOR ACTIVE WORK.

Keeping Watch on 1,500 Gamblers
Suspected of Schemes to Colo-
nize Fraudulent Voters.

Supt. John McCullagh, of the Election
Department, swore in 300 deputies to-day
to assist him in looking for frauds in
connection with the coming election.
He said he would have 600 deputies at
work later in the week.

Asked about stories printed in the
morning papers to the effect that he had
been in an attempt at wholesale
fraud, Supt. McCullagh said there was
no truth in the stories. He said he was
watching about 1,500 men, chiefly em-
ployees of pool-rooms and gambling
houses, who were holding themselves in
readiness to take up their residences
wherever it was deemed necessary for
colonization purposes under the thirty-
day rule.

"I don't see what else I can do than
watch them," said Mr. McCullagh, "but
I expect them to colonize all over the
city. I don't know of any one district
where there will be more of this at-
tempted than in any other district."

THE ORDER OF ACORNS, a political or-
ganization that has gained much atten-
tion since its formation a few weeks
ago, has decided to abolish the secret
features that were so prominent in its
early growth. The secrecy was a design
to gain public attention and the mem-
bers have decided that the body is
strong enough to get out and fight in
the open.

A district organization is being effected
and headquarters will be opened in
every Assembly District in Manhattan
and as rapidly as possible in the
Borough of Brooklyn. There is a project
on foot to hold noonday meetings in a
big vacant storehouse on Broadway. At
these meetings it is contemplated to in-
troduce unknown young speakers who
have enlisted in the work for which
the Order of Acorns was founded.

The best cartoonists in the city are
Acorns, and many of them have volun-
teered to attend the noon meetings and
draw pictures.

"The growth of the order has been
phenomenal," said President Joseph
Johnson, Jr., to-day. "As a strictly
non-partisan organization, fighting for
decency in politics and especially
against a corrupt police force, we in-
tend to be a dominating factor in this
campaign."



ANCHORING SHAMROCK TO SANDY HOOK BUOY

COURT DISMISSES SCANNELL CASE.

Indictment Charging the Fire Commissioner
and W. L. Marks with Conspiracy Illegal.

The indictments charging Fire Com-
missioner Scannell with neglect of duty
and the indictments charging Fire Com-
missioner Scannell and William L.
Marks with conspiracy were dismissed
by Justice Gilderleeve in the Supreme
Court to-day.

The ground upon which Justice Gil-
derleeve bases his action is embodied
in the complaint of the Commissioner
and Marks that Samuel Ordway, special
counsel for the District Attorney, was
allowed in the Grand Jury room during
the taking of testimony. The Court
holds that this proceeding was plainly
illegal, and the indictments are dis-
missed accordingly.

Leave is given to the District Attor-
ney to resubmit the case to the Grand
Jury. It is not likely that Mr. Philbin
will do this at present. It was said
that the opinion of the learned Justice was
considered to be "very flat."

Following is the full text of the opin-
ion:

"These criminal actions are based on
three indictments filed by the Grand
Jury on June 28, 1901. At the times
named in the said indictments, the de-
fendant, John J. Scannell, was and now
is Fire Commissioner of the city of
New York. Two of the indictments are
against John J. Scannell alone and in
each of these two indictments he is
charged with wilful neglect of official
duty as Fire Commissioner of the city
of New York. The third indictment
charges John J. Scannell with a conspir-
acy with the defendant, William L.
Marks, and others (not named) to ne-
glect and violate the official duties of
the said office of Fire Commissioner.

"Both defendants move that the con-
spiracy indictment be set aside, quashed,
dismissed, or otherwise finally termi-
nated, because of alleged substantial
irregularities attending its finding. A
similar motion was made by the de-
fendant Scannell as to the two indi-
cements for neglect of duty based upon
the same grounds and further, because
the first and second overt acts of the
conspiracy indictment which he claims
was filed subsequently are for the same
matter, and therefore supersede them.

"The principal irregularity urged as a
challenge to the indictments is as fol-
lows: That one Samuel A. Ordway, an
attorney-at-law, was permitted to be
present during the sessions of the Grand
Jury while the charges embraced there-
in were under consideration, otherwise
than as provided in sections 252, 253 and
254 of the Code of Criminal Procedure.

"Section 413 of the Code of Criminal
Procedure in subdivision 2 declares that
the indictment must be set aside by the
Court in which the defendant is ar-
raigned and upon his motion, when a
person has been permitted to be present
during the session of the Grand Jury
while the charge embraced in the indi-
cment is under consideration, except as
provided in sections 252, 253 and 254."

"The only persons who are permitted
to be present during a session of the
Grand Jury, when the charge is being
considered, are, first, the Court; second,
the District Attorney; third, the wit-
nesses. I am unable to find anywhere
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